

Remarks:

Reconsideration of the application is requested.

Claims 1-10 are remain in the application. Claims 8-10 are subject to examination and claims 1-7 have been withdrawn from examination.

In the second paragraph under "Claim Rejections - 35 USC 102" on page 2 of the above-identified Office Action, claims 8-10 have been rejected as being anticipated by Fujimori (U.S. Patent No. 6,385,076) under 35 U.S.C. § 102(a).

Applicants respectfully note that the Fujimori U.S. Patent No. 6,385,076 has an effective date as a reference of October 12, 2000. See 35 U.S.C. § 102(e). As set forth in the Declaration of record, the instant application claims international priority of the German Application No. 100 06 444.2, filed February 14, 2000, under 35 U.S.C. § 119. Pursuant to 35 U.S.C. § 119, applicants are entitled to the priority date of the aforesaid German Application. See MPEP §§ 201.13 and 1895. Thus, the instant application predates Fujimori by more than seven months. Because Fujimori was filed after the priority date of the instant application, applicants respectfully believe that Fujimori is unavailable as prior art against the present claimed invention.

Applicants acknowledge that perfection of priority can only be obtained by filing a certified English translation of the German priority application. See 35 U.S.C. § 119. Applicants previously have filed a Claim for Priority (filed March 16, 2001) and a certified copy of **German Application No. 100 06 444.2** and now enclose a certified English translation of same. Accordingly, applicants respectfully believe that priority has been perfected and Fujimori is unavailable as prior art against the present claimed invention. Therefore, applicants respectfully submit that the Section 102 rejection on page 2 of the Office Action is now moot and request that the Examiner withdraw the rejection.

Because the claim rejection is deemed moot, discussion of the Fujimori reference is not deemed necessary at this time.

In view of the foregoing, reconsideration and allowance of claims 1-10 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

Please charge any fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,



For Applicants

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FDP/tk

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